

STATE OF NEW MEXICO
OFFICE OF SUPERINTENDENT OF INSURANCE

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John G. Franchini

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NM OFFICE OF SUPERINTENDENT OF INSURANCE

BULLETIN 2018-018

November 30, 2018

TO: ALL LIFE AND HEALTH INSURERS ISSUING GROUP LIFE OR HEALTH INSURANCE POLICIES TO OUT-OF-STATE GROUPS THAT COVER RESIDENTS IN THE STATE OF NEW MEXICO, EXCEPT GROUP LIFE AND HEALTH POLICIES THAT ARE SUBJECT TO THE EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974 (ERISA)

RE: LIFE AND HEALTH GROUP POLICY ANNUAL CERTIFICATION AND INFORMATIONAL POLICY FILING

THE FOLLOWING BULLETIN is issued pursuant to, and in accordance with, NMSA 1978, Sections 59A-1-10 through 59A-1-17, 59A-2-7 through 59A-2-9, 59A-5-10, 59A-6-1, 59A-18-12, 59A-18-13.2, 59A-18-16.1, 59A-18-16.2, 59A-21-1 *et seq.*, and 59A-22-1 *et seq.*; and 13.1.2.8 NMAC *et seq.*

The purpose of this Bulletin is to ensure that group life and group health insurance policies that are issued to groups that are located out of state provide coverage that satisfies at least the minimum standards for New Mexico residents who are covered by such policies.

Informational Policy Filing

Each insurer subject to this Bulletin must submit to the Superintendent all group life and group health policy forms that are issued to out-of-state groups and are known or expected to cover residents of this state. An insurer shall not issue any form that has not been submitted to the Superintendent in accordance with this Bulletin to provide coverage to residents of this State.

The requirement to submit group policy forms pursuant to this Bulletin is for informational purposes, and is not intended to be for approval by the Superintendent. The term “group policy forms”

means the group master policy, riders, and endorsements, and it includes any certificate or certificates of coverage that could be issued to residents of this state.

Informational filings pursuant to this subsection shall be submitted electronically via SERFF or as otherwise instructed by the Superintendent.

Filing Certification

Each insurer subject to this Bulletin shall submit to the Superintendent a *Certification of Coverage as Delivered to New Mexico Residents* with each group policy form required to be filed pursuant to this Bulletin. Such certification shall be attested to by an officer of the insurer; shall confirm that coverage is administered to at least comply with applicable New Mexico minimum standards; and shall confirm that the insurer understands that the Superintendent can, at the Superintendent's discretion, initiate market conduct action pursuant to Section 59A-4-4 NMSA 1978 for non-compliance with applicable New Mexico minimum standards.

Consumer Notice

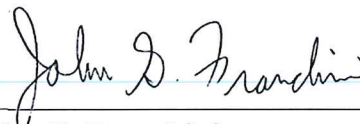
Each certificate of coverage issued to a resident of this state under a group life or health policy subject to this Bulletin shall contain the following notice to consumers, in readily legible 12-point boldface type:

Consumer Complaint Notice

If you are a resident of New Mexico and have concerns regarding a claim, premium, or other matters relating to this coverage, you may file a complaint with the New Mexico Office of Superintendent of Insurance (OSI) using the complaint form available on the OSI website and found at: <https://www.osi.state.nm.us/ConsumerAssistance/index.aspx>

Please direct questions regarding this bulletin to Viara Ianakieva, Staff Manager, via email at viara.ianakieva@state.nm.us or by phone at 505-827-4651.

DONE and ORDERED this 30th day of November 2018.



John G. Franchini
Superintendent of Insurance